

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI**

KARLA K. ALLSBERRY and LORI RUSSELL,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 4:19-cv-02366
)	
JUDGE PATRICK S. FLYNN, et al.,)	
)	
Defendants.)	

PLAINTIFFS' MOTION TO LIFT THE STAY

COME NOW Plaintiffs, Karla K. Allsberry and Lori Russell, and moves the Court to lift the stay entered in this case on October 18, 2019, as follows:

1. This case was stayed under the *Pullman* abstention doctrine to permit the Missouri state courts to determine whether Judge Patrick Flynn had authority to place Karla Allsberry on indefinite administrative leave.

2. The Circuit Court of Lincoln County, Missouri has now decided that issue by granting Karla Allsberry's Petition for a Declaratory Judgment that Judge Patrick Flynn did not have authority to place her indefinite administrative leave.

3. Since the Missouri state courts have answered this issue of Missouri state law, the stay of this case should be lifted permitting the Plaintiffs to resume the case.

4. A proposed Order has been separately submitted.

WHEREFORE Plaintiffs, Karla K. Allsberry and Lori Russell, move the Court to lift the stay previously entered in this case on October 18, 2019 and to permit Plaintiffs to resume prosecution of this case.

Respectfully submitted,

/s/ David M. Duree

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CERTIFICATE OF SERVICE

The undersigned hereby certifies a true copy of the foregoing was filed electronically with the Clerk of the Court, the Clerk's office will electronically serve a copy upon counsel of record, and a copy was sent via email this 8th day of February, 2021, to all counsel listed below:

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